Alabama Dam Security and Safety Act Advisory Group Meeting



December 19, 2002 Montgomery, Alabama



Alabama Dam Security and Safety Act

- Dams in Alabama
- History of the Act
- Overview of the Act
- What's In the Act?
- What's Next?



Dams in Alabama

- In Alabama ...
 - -Over 10,000 dams
 - -2,000 in inventory
 - -<10% are high hazard</p>
 - No state law governing dam safety



History of the Act

- Initiative began in 1985
- Did not involve a broad range of input
- 4 attempts with 0 success
 - ➤ Why???
 - ✓ Placed an undue burden on citizens
 - ✓ Offered little help to the Owners
 - ✓ Past legislation was too broad

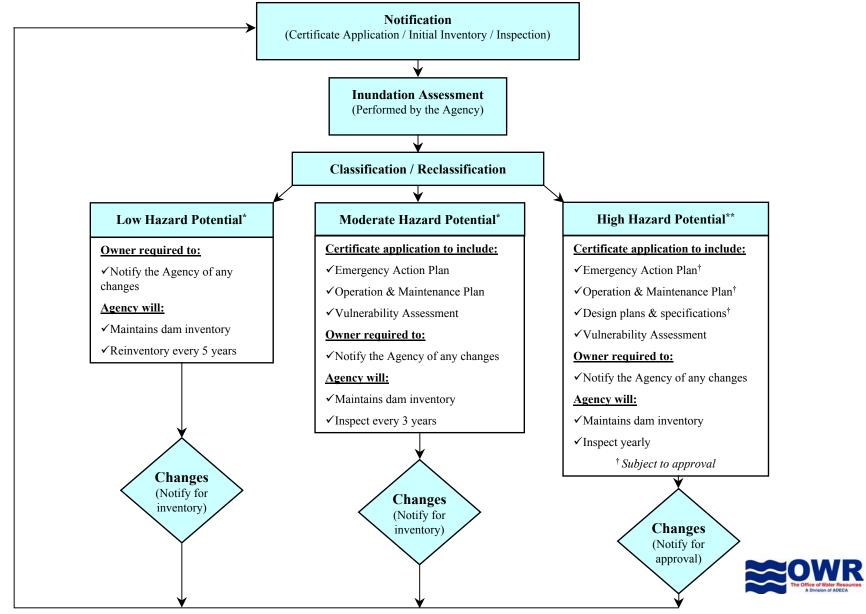


Safe Dams Advisory Group

- Current legislation being drafted with advisory group
- Working for over a year to develop acceptable legislation
- Regulations focus on safety of human lives



Overview of Alabama Dam Security and Safety Act



^{*}Agency does not regulate design & construction for Low Hazard Potential Dams or Moderate Hazard Potential Dams

What's In the Act?

- Definitions
- General Provisions
- Duties & Authorities
- Inventory & Classification
- Certificate, Application & Notification
- Exemptions
- Dam Removal
- Inspection of Dams
- Emergency Action Plan

- Operation & Maintenance
- Administrative and judicial review
- Injunctive relief
- Liability for damages
- Criminal and civil penalties
- Severability
- Repeal of provisions
- Effective date



00-00-03. Definitions

Defines key terms that are used in the Act



00-00-04. General Provisions

General intent of the Act



00-00-05. Duties & Authorities

Duties & authorities of the Director

Duties & authorities of the Agency



00-00-06. Inventory & Classification

Inventory of dams

Initial inventory to be completed within 5 years of the effective date of the Act

Classification of dams

- High Hazard Potential Dam
- Moderate Hazard Potential Dam
- Low Hazard Potential Dam



00-00-07. Certificate, Application and Notification

Provisions associated with the certification and notification requirements



00-00-08. Exemptions

Some dams are exempt from the act

The agency should not "double-regulate" a dam for safety



00-00-09. Dam Removal

Requirements associated with dam removal

- Low/Moderate notification
- High notification and agency approval



00-00-10. Inspection of Dams

Provisions associated with inspection of dams and access to property



00-00-11. Emergency Action Plan

Provisions associated with Emergency Action Plans



00-00-12. Operation and Maintenance

Provisions associated with Operation and Maintenance Plans



00-00-13. Administrative and Judicial Review

Alabama Administrative Procedures Act must be followed in the appeal process



00-00-14. Injunctive Relief

Injunctive relief allowed when necessary due to the seriousness of the situation



00-00-15. Liability for damages

General liability clauses



00-00-16. Criminal and Civil Penalties

Penalties associated with violating any provisions of the Act



00-00-17. Severability

The provisions of this Act are severable



00-00-18. Repeal of Provisions

All laws or parts of laws that conflict with this Act are repealed



00-00-19. Effective Date

Owners will have 5 years after <u>notification</u> to comply with the Act



What's Next?

- Refine draft Alabama Dam Security and Safety Act
- Legislative Strategy
- Education/Outreach
- Draft regulations



Visit our website at

www.adeca.state.al.us

